ACT No. I OF 1883.

[THE CENTRAL PROVINCES LOCAL SELF-GOVERNMENT ACT, 1883.]

[*12th January 1883.*]

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Confirmation and recovery of existing rates.

[1]**41.** (1) All rates for the maintenance of roads, schools or the district post for the payment of which provision [2][is made in any settlement record] shall be deemed to have been legally imposed, and shall be recoverable as if they were arrears of land revenue payable directly to Government and due on the land in respect of which they are payable.

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ACT No. II OF 1884.[3]

[THE MADRAS PARTITION-DEEDS (VALIDATION) ACT, 1884.]

[*18th January 1884.*]

An Act to give effect to certain unregistered instruments of partition relating to immovable property in the Madras Presidency, and to remove doubts as to the titles conferred thereby.

WHEREAS it is expedient to give effect to certain unregistered instruments of partition relating to immovable property in the Madras Presidency, and to remove doubts as to the titles conferred thereby; It is hereby enacted as follows :—

Certain unregistered instruments of partition to have same force and effect as registered instruments.

1. Notwithstanding anything contained in any Act to the contrary, instruments of partition relating to immovable property in the Madras Presidency, which have been executed before the passing of this Act and have not been registered, shall have the same force and effect as if they had been registered, under the law in force at the time when they were executed :

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[1] Section 41, sub-section (1) of this Act is in force in the taluqs of Nugur, Albaka and Cherla, which ceased to be under the administration of the Chief Commissioner of the Central Provinces and became subject to the Government of Madras in pursuance of Proclamation No. 545, dated the 15th April 1909, issued by the Governor-General in Council under s. 4 of the Government of India Act, 1865, with effect from the 1st July 1909, *see* Regulation I of 1909, s. 3.

[2] The words in square brackets were substituted for the words "has been made in any settlement record previous to the passing of this Act" by Central Act XVI of 1889, s. 41.

[3] Short title "The Madras Partition-deeds (Validation) Act, 1884" was given by the Repealing and Amending Act, 1901 (Central Act XI of 1901).

For Statement of Objects and Reasons, *see Gazette of India*, 1883, Pt. V, p. 662; for Proceedings in Council, *see ibid*, 1883, Supplement, p. 2095 and *ibid*, 1884, Supplement, p. 164.

Provided that this Act shall not—

(*a*) apply to any unregistered instrument of partition which has been superseded by an instrument of partition duly registered, or

(*b*) affect the title of a transferee for value in good faith of property, whether he has or has not had notice of an unregistered instrument of partition relating to that property, or

(*c*) affect any right established by a final decree of a Court of competent jurisdiction.

Compensation to person deprived of right owing to transfer under section 1, clause (*b*).

2. When any person to whom any right has accrued on the partition, or any person claiming under that person, has, by any such transfer as is mentioned in section 1, clause (*b*), been deprived of any right created by the partition, he shall be entitled to recover compensation in damages from any sharer who has directly or indirectly caused such privation of right, or, if the sharer is dead, from his assets :

Provided that suit be brought * * * *[1] within three years from the date of the transfer if the transfer is made after this Act comes into force.

[1] The words " within three years after the date on which this Act comes into force or " were repealed by the Repealing and Amending Act, 1891 (Central Act XII of 1891).